

Town of Acton

Special Town Meeting

Warrant



Tuesday, December 10, 2019

**The Special Town Meeting will convene at 7:00 PM in the
Acton-Boxborough Regional High School Auditorium
36 Charter Road**

Notice of Special Town Meeting

Tuesday, December 10, 2019

7:00 PM

Acton-Boxborough Regional High School Auditorium
36 Charter Road

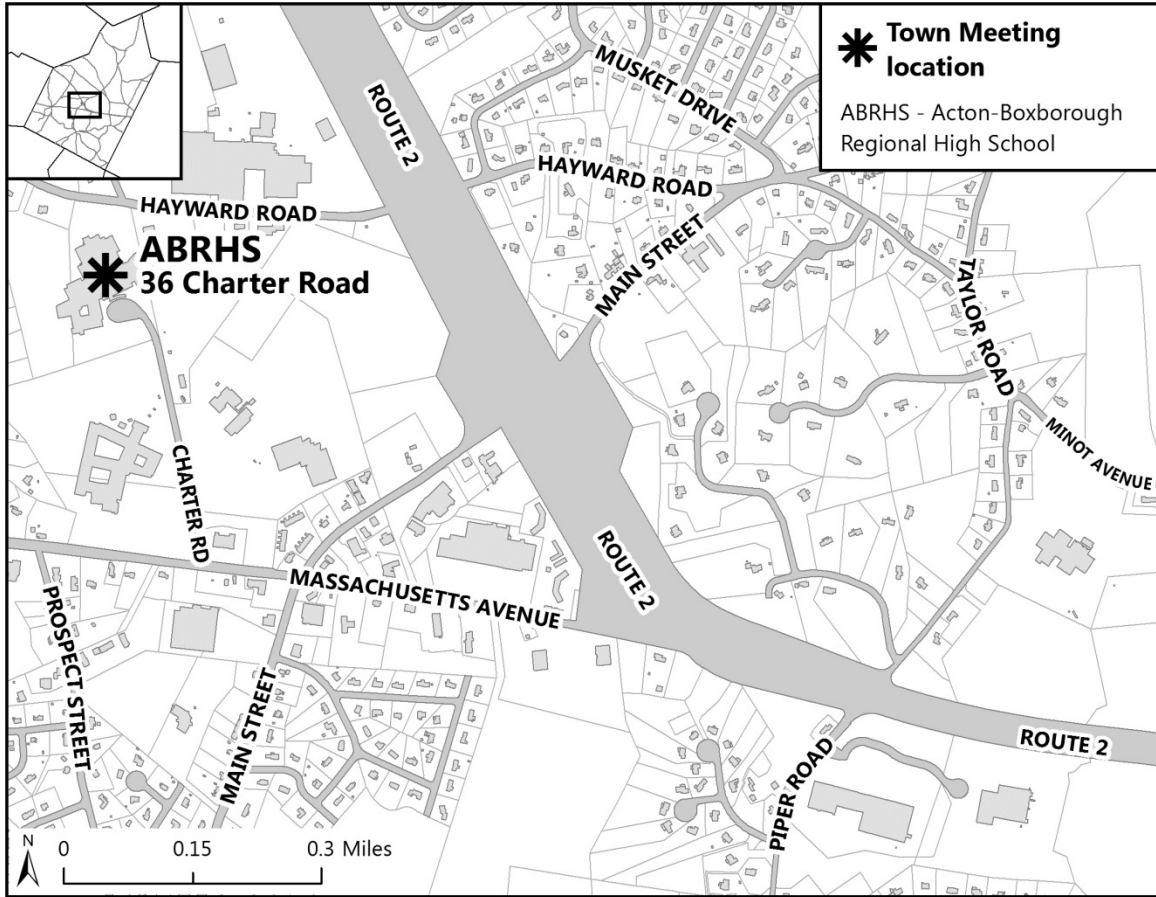


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Free Transportation to Town Meeting

Don't miss Town Meeting because you can't get a ride!



The Town of Acton is offering **free** door-to-door van rides to Town Meeting. The Meeting starts at 7:00 PM and generally concludes by 10:30 PM.

CrossTown Connect will have a driver covering the hours from 4:30 PM – 10:30 PM for the night of Town Meeting. The dispatch service will be open for reservation until 12:00 PM on the day of the meeting. Rides can be booked with the CrossTown Connect dispatch at (978) 844-6809. The service will run even if there are no reservations, as we will take walk-ons from Town Meeting that want a trip home. There will be no charge to passengers for any of these Town Meeting trips. When the van is not in use between 4:30 PM to 10:30 PM, it will be parked in the Acton-Boxborough High School parking lot where Town Meeting is being held. The driver will be waiting in the van for anyone that would like a ride home.

Town Meeting Survey

The Town Meeting Improvements Committee (TMIC) is seeking input from the public on ideas to improve participation. The TMIC is charged by the Acton Board of Selectmen to increase Town Meeting attendance by proposing improvements to the Town Meeting format that can be implemented as early as 2020 Annual Town Meeting and by identifying issues for possible long-term study such as remote voting.



You can take the online survey by visiting the TMIC page on the Town web site at www.actonma.gov/TMIC and clicking the link to the survey. Your responses to this survey are anonymous.

The TMIC will hold a public forum in Room 204 of Town Hall on Wednesday, December 4 at 7:30 PM. You are invited to attend, and may also provide your ideas via e-mail to tmic@actonma.gov.

Members of the Town Meeting Improvement Committee wish to thank you in advance for taking the time to complete this survey and to share your thoughtful feedback with us.

Need a Sitter for Town Meeting? Kid Friendly Movie Night

Want to go to Acton Town Meeting but can't find a sitter?

Bring your school-aged children with you for a:

Kid-friendly Movie Night

while you attend Acton town meeting!

Tuesday, December 10th

6:30-9:00pm

Chorus Room at Acton-Boxborough Regional High School

we will be showing a recently-released
animated movie!



- A release waiver will be required for each child which will be emailed to you when you reserve your spot.
- School-aged children can be dropped off starting at 6:30 pm before heading down the hall to attend Town Meeting. Pick up is promptly at 9 PM.
- The children will be chaperoned by adult volunteers (all CORI checked) including school district members and parents. In addition, high school volunteers will be on hand to help out.
- Other activities will also be available for the children's use in the chorus room.
- Food will not be served but children are welcome to bring a water bottle with them.
- Bring a blanket for cozy movie viewing!

Please RSVP to Kristina Rychlik (krychlik@mac.com) by Sunday, December 8th at 9:00pm indicating the number of spots needed.

This event is sponsored by the League of Women Voters - Acton Area, the Town of Acton and the Acton Boxborough Education Association

Board of Selectmen's Message

This Town Meeting Warrant is your invitation to participate in the legislative portion of Acton's Town government. Acton citizens have a cherished tradition of governing themselves by means of an Open Town Meeting. We encourage all Acton residents to attend. All registered voters are invited to participate in the debate and vote on the Articles presented. Other residents, even if they are not registered voters, are invited to attend and observe, or to view the proceedings on our government cable television channels, Comcast channel 99 and Verizon channel 41.

The Special Town Meeting will begin Tuesday, December 10 at 7:00 PM in the Acton-Boxborough Regional High School Auditorium. **Attendance is anticipated to be higher than average** – please arrive early to be checked-in by the Town Clerk's staff and to obtain additional information. Check-in will be open starting at 5:30 PM and take place in the cafeteria area.

Town Meeting Warrant and Procedures

The Town Meeting Warrant is the agenda for the meeting. It is drawn up by the Selectmen from various proposals made by the Selectmen, the School Committee, other Boards, staff and citizens. The Selectmen determine the order that the Articles appear in the Warrant. The Articles will be considered in the order in which they appear, unless the Moderator, or the Meeting itself, changes that order. Each article is intended to give fair notice of the topic to be discussed and voted upon, thus any motion made at Town Meeting under one of these articles must be found by the Moderator to be within the scope of the printed article. At Town Meeting, the motion made under each article will describe the specific proposed action. The wording of the motion, and any amendments that might be offered to the main motion, may differ from the exact wording of the article, but as indicated above must be within the scope of the article. Accordingly, it is suggested that each attendee listen closely to the reading of the motion, and any amendments made before voting.

The Board of Selectmen strongly encourages and solicits questions in advance concerning any of the proposed Articles. Information regarding the Articles may be obtained from any of the contacts listed after each Article summary, or a general inquiry may be made to the Town Manager's Office at (978) 929-6611 or manager@actonma.gov.

Further Project Information

For more information available online about the projects proposed in this Warrant, please see the individual project web pages at:

Article 1 www.abschools.org/district/superintendent_s_office/school_capital_space_planning
Article 2 www.actonma.gov/firestation
Article 3 www.actonma.gov/westactonsewer

Joan Gardner, Chair
Jon Benson, Vice-Chair
Dean A. Charter, Clerk
Peter J. Berry
David D. Martin

Board of Selectmen

Finance Committee's Message

Having had neither any meaningful debt exclusions since the turn of the century nor any operating overrides in over a decade, the Town of Acton is at an inflection point with regard to capital projects. This Special Town Meeting, and the associated ballot vote on December 17th, brings to the voters about \$100 million in potential debt obligations. A new consolidated twin school, a new, additional fire station in North Acton, an extension of the West Acton sewer district, and a restructuring of the payment for Minuteman Regional Vocational Technical High School are all under consideration, nestled in tightly between Thanksgiving and New Year's. It was by design that all these items are being considered in close proximity. Having projects come to the voters in dribs and drabs or fits and starts allowed for the very real possibility that the first project through the door would have the highest chance of success and all subsequent projects, regardless of their worthiness, may fall short as tax payers adjust to the new debt load. By considering these projects on the same night, tax payers will be able to compare willingness (increased taxation) with identified needs (proposed projects). Please note that each of these initiatives should be measured on their own merit, and no one project has a make or break effect on another.

Before commenting on the specifics, it is instructive to make sure we know where we stand. Acton has not had an operating override since Fiscal Year 2006. The last debt exclusions were \$6.5m for the Public Safety Facility in 2002, \$54.2 million for the high School in 2000, \$21.35m for the Parker Damon Building, and \$19.1m for the RJ Grey Jr High School in 1998. At this time, Acton has no remaining unused tax levy capacity. As of July 1st, 2019, Acton has \$3,753,774 in certified free cash. Add to that the \$2 million in our stabilization fund, and as a town we have \$5.75 million in reserves. Acton continues to enjoy AAA bond ratings, which will stand us in good stead as we go to the capital markets to fund either of the proposed borrowings.

All three appropriations articles set forth have impact on everyone's tax bill. The first two are debt exclusions or capital override votes. The third has an impact on the operating budget. Not on the warrant for this Special Town Meeting, but on the ballot for December 17th, is a motion to move the cost of the new building for Minuteman to a debt exclusion.

A debt exclusion means that all monies required to pay for a specific project are over and above the amount of revenue that can be raised via standard taxation. It is likely that operating taxes will continue to increase at the limit of Proposition 2 ½ and the debt repayments for any or all of these three projects under consideration for debt exclusion are in addition to the operating budget which will be brought forth for town meeting consideration in the Spring for next fiscal year.

For each of these projects, the Finance Committee would like to layout the potential taxation impact. This message does not weigh in on the pros or cons of each project – that is reserved for open debate and discussion on the floor of this Special Town Meeting. For each of these items, a range for the impact on average single family tax bill is provided. Important to note, that the average single family tax bill is \$590,000 and the interest rate assumed for these calculations was 3.00%. Unless otherwise noted, the term assumed was 30 years. The largest variable that we have no control over is the interest rate. Though 30 year interest rates are lower than 3.00% currently, it is possible that between these votes and the date of issuance that rates could rise again. In determining an individual estimate for a given tax bill, the actual assessment of the property and the final interest rate are required.

The first article relates to bonding money for a new consolidated twin school on the Gates site. While the total project cost is in the motion, the bottom line for the Town of Acton asks for \$66.3 million to be excluded debt for the next 25 to 30 years. The ABRSD treasurer would be the final decision maker on whether the bond term is 25 or 30 years. The advice given from the Acton Finance Committee is to use a

30 year term, owing to current, historically low interest rates. The ABRSD would be the entity to borrow money, and Acton would receive a yearly assessment to repay our obligation.

The second article takes up the question of a new fire station for North Acton. The amount of money being considered for debt exclusion is \$9.2 million. The Town of Acton would be the entity to borrow money, and debt repayments are already a specific budget item.

The expansion of the West Acton Sewer district is a bit more involved to explain. While the total project is \$15.2 million, the sources of revenue to repay the debt are numerous. More than three-quarters of the debt would be paid by the new users in the district. The Town of Acton would pay indirect costs in the form of avoided costs for public buildings in the district, such as the West Acton Library. Similarly, if approved by the ABRSD, the District would also pay ~\$550,000 in avoided costs. And there are costs that are borne by general obligation, meaning paid for by every tax payer in town.

Finally, though it is not up for debate during this town meeting, a ballot question will appear on Tuesday, December 17th asking permission to move Minuteman to a debt exclusion. To be clear, Acton has already encumbered this debt and must pay it. This question does not address the willingness to fund the new school – that debate was held and passed in a previous town meeting. Since the approval of the Minuteman school building project, the subsequent assessments of Acton's share have been paid out of general obligation funds. This ballot question specifically seeks to remove the debt payment from being subject to Prop 2 ½ operating budgets and to become a debt exclusion.

Here is a summary chart of the tax implications of these projects:

Project	Total Project Cost	Acton's Responsibility	Proposed Payment Method	Low Range of Tax Impact on Average Single Family	High Range of Tax Impact on Average Single Family	Predominant reason for Range Variation
Gates/Douglas	\$117.6million	\$66.3million	Debt Exclusion	\$448.33	\$504.00	25 or 30 year Term
NAFD	\$10.4million	\$9.2million	Debt Exclusion	\$60.00	\$70.00	Interest Rate Variability
West Acton Sewer	\$15m	\$2.45m to \$3.15m	Operating Budget and User Fees	\$14.00	\$18.16	Forecasting
Minuteman	\$144.9million	\$10m to \$12m	Debt Exclusion	\$56.60	\$81.14	Unknown final bond amount
Totals				\$578.93	\$673.30	

FINCOM will speak during Special Town Meeting as to whether or not the committee recommends these initiatives and will give a synopsis of the reasons that carried the opinion to a majority vote. We thank all members of Town Meeting for coming to the meeting, debating these proposals, and voicing their choice.

The Finance Committee

Roland Bourdon, Chair, Christi Andersen, Vice-Chair, Christine Russell, Clerk

Members: Steve Noone, Mike Majors, Dave Wellingshoff, Jason Cole, Tom Farley, Sahana Purohit, and Al Vlajinac

Town Moderator's Message

Town Meeting is your opportunity to be heard and be counted. Despite the open nature of the meeting (anyone who is an Acton registered voter may attend and vote), some voters who wish to participate may have barriers to joining the meeting. To ameliorate this situation, the Board of Selectmen has charged a Town Meeting Improvements Committee (TMIC) with proposing improvements to the Town Meeting format and to identify possible issues for long-term study. The TMIC is in the midst of its work and continues to welcome input.

More information is available on the Town website, www.actonma.gov. The committee can be reached at TMIC@actonma.gov. I can be reached at joannberry@actonma.gov. I have committed to working with the committee and look forward to making Town Meeting a better experience.

Jo-Ann M. Berry
Town Moderator

Notes from the Town Clerk's Office

The Town Clerk's Office welcomes requests by the Acton community for special provisions in order for citizens to attend Town Meeting. Services provided include wheelchairs, a wheelchair lift, special check-in and seating for the mobility-impaired.

In order to accommodate as many citizens as possible, we ask that all requests be received by our office no later than Friday, December 6.

Parties needing support may contact the Town Clerk's Office at clerk@actonma.gov or (978) 929-6620.

Any person, committee or action group that would like to reserve a display table at Town Meeting needs to email a copy of their handout material, along with the request, to the Town Clerk in order to receive approval by the Town Moderator.

Requests need to be received by the Clerk's Office no later than Wednesday, December 4 to ensure coordination with Acton-Boxborough Regional High School staff to provide the requested number of tables.

One or more of the following recommendations may appear at the end of an Article's summary:

Recommended	This board voted to recommend passage by Town Meeting.
Not Recommended	This board voted to not recommend passage by Town Meeting.
No Recommendation	This board voted to make no specific recommendation to Town Meeting.
Deferred	A recommendation will be made by this board when the Article is considered at Town Meeting.

Special Town Meeting Warrant



*Town of Acton
Commonwealth of Massachusetts, ss.*

To either of the Constables of the Town of Acton, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the legal voters of said Town of Acton, qualified to vote at Town Meetings for the transaction of Town affairs, to meet at the Acton-Boxborough Regional High School Auditorium, 36 Charter Road in said Acton on **Tuesday, December 10, 2019 at 7:00 PM**, then and there to act on the following articles:

Article 1 Acton-Boxborough Regional School District – School Design & Construction (Two-thirds vote)

To see if the Town will approve the \$116,028,519.00 borrowing authorized by the Acton-Boxborough Regional School District, for the purpose of paying costs for the design and construction of a new CT Douglas/Paul Gates Elementary School and Carol Huebner Early Childhood Program into a single facility on the Gates School Site located at 75 Spruce St, Acton including the payment of all costs incidental or related thereto (the “Project”), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the District’s School Building Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) forty nine point seven percent (49.7%) of eligible, approved Project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that the approval of the District’s borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2-1/2, so-called); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA; or take any action relative thereto.

Summary

This Article requests voters to approve funds to construct a new “twin” elementary school to replace the existing Douglas and Gates elementary schools and provide additional classrooms for the Carol Huebner Early Childhood Program. This vote is subject to a $\frac{2}{3}$ vote at the December 10, 2019 Special Town Meeting as well as a majority vote at a subsequent ballot on December 17, 2019 to request a Proposition 2½ debt exclusion for these funds.

The C.T. Douglas Elementary School, opened in 1965, and the Paul P. Gates Elementary School, opened in 1967, are both at or near the end of their useful lives and in need of replacement. Additionally, the Carol Huebner Early Childhood Program is operated out of the District’s Administration Building (the former Merriam School), in a location that is over 60 years old and not accessible to children with disabilities.

Community planning for the projects began in 2015 when the District undertook a comprehensive master planning initiative which engaged Dore and Whittier Architects to study all of the District’s facilities in order to develop a comprehensive capital plan. Through the master planning process, the District identified several schools in need of major repair or renovation. The highest priority needs were identified at the C.T. Douglas elementary school as there were concerns for indoor air quality, lack of accessibility, hazardous materials, and significant overcrowding.

In April 2016, using information from the master planning process, the District applied to the Massachusetts School Building Authority (MSBA) for acceptance into their CORE program for a potential renovation or replacement of the C.T. Douglas Elementary School. In February 2017, MSBA accepted the ABRSD into their CORE program and invited the District into an eligibility period for a possible new or renovated school. In June 2017, the District established a Regional School Building Committee comprised of citizens from both Acton and Boxborough. In December 2017, both towns approved \$1.3 million for a feasibility study. The MSBA paid \$600,000 of these costs. In 2018, an architect and owner’s project manager were hired to begin a feasibility study to determine the best possible solution for the community.

From August 2018 through September 2019, the School Building Committee oversaw the completion of a feasibility study conducted by Arrowstreet Architects. The feasibility study examined sixteen possible solutions for either repair or replacement of the C.T. Douglas Elementary School. The feasibility study considered renovating or replacing the Douglas School individually, but also considered co-locating this school with either the Gates or Conant schools.

Through the feasibility study, the School Building Committee determined that the most cost-effective solution for the District was to build a “twin” elementary school. The Building Committee considered multiple sites for the new school including the current Douglas, Gates and Conant sites. Through extensive study of the sites, traffic, and wetlands, as well as considerable input from the community which expressed a desire to keep the Douglas Elementary School in West Acton, it was determined that the current Gates site would be the most suitable location for the new Douglas-Gates Elementary School. It was further determined that it would be most cost effective to include nine additional classrooms for the preschool program. This solution will allow the District to address three of its most significant needs in one project, while receiving reimbursement from the MSBA.

The proposed “twin” school has multiple benefits for students and for the citizens of Acton and Boxborough including:

- The school will increase the number of classrooms available to the District and will help the District meet predicted future enrollment needs

- The school will be fully accessible for persons with disabilities and provides:
 - Two elevators
 - Sound amplification in all learning spaces
- The school will feature state-of-the-art educational opportunities for students including:
 - Two dedicated Science, Technology, Engineering, Arts and Mathematics (STEAM) labs
 - A large gymnasium and a second smaller gymnasium that will provide age appropriate access for students of all ages through adult community members
 - A two-story library/media center that can be accessed directly from either of the schools
 - Specialized breakout spaces designed to support students in special education and English Learners
 - A first-floor wing devoted to the preschool, with fully accessible spaces and access to art, music and physical education classes
 - Specially designed, age-appropriate play areas and outdoor learning spaces
 - Dedicated art and music classrooms for each school
- The school is designed to meet “Net Zero” standards for energy efficiency, water use, and construction waste. To achieve this level of sustainability, school design features include:
 - The use of photovoltaic arrays (solar panels) on the roof and over the parking lot designed to produce sufficient energy to offset the building’s energy needs for heating, cooling and electricity
 - The primary heating system for the building uses geothermal wells supplemented by two electric boilers, allowing the school to be both combustion and fossil fuel free
 - A rainwater collection system that will gather rainwater from the roof to be stored in underground tanks for reuse in flushing toilets
 - Building materials from the demolition of the existing schools will be sorted on-site and recycled to the greatest extent possible

The new school is designed to meet the educational needs of students for the next fifty years. Further, the school building committee and District believe that the proposed school is of high value and cost-effective to the citizens of Acton and Boxborough. The building committee, comprised of citizens from each town, prioritized bringing forward a project that was cost-effective, and carefully studied a variety of factors including strategies to shorten the project timeline (thus reducing costs), and opportunities for value engineering aspects of the building to reduce costs while maintaining a strong educational program. Due to the timing of the project in relation to the overall performance of the economy, the District has the opportunity to take advantage of historically low borrowing rates which will in turn keep the costs to taxpayers as low as possible.

The total project cost is \$117,328,519. This includes the \$1.3M feasibility study funding that was already approved and reimbursed from the state. Of the remaining \$116 million, the MSBA will reimburse \$38 million, and the District will be responsible for \$78 million. The Acton share of these costs will be \$66.3 million and the Boxborough share will be \$11.7 million. The tax impact on an average single family home is estimated to be \$452 - \$509 per year in Acton, and \$314 - \$354 per year in Boxborough.

This project solves multiple problems with one cost-effective solution that will provide students of Acton and Boxborough with continued access to high quality facilities and safe learning environments for the next fifty years.

Direct inquiries to: Peter J. Light, Superintendent: plight@abschools.org / (978) 264-4700
 Selectman assigned: Peter J. Berry: bos@actonma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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Article 2 North Acton Fire Station Design & Construction

(Two-thirds vote)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow money by the issuance of bonds or notes under the provisions of Massachusetts General Laws c. 44, a sum of money to be expended by the Town Manager for the purpose of designing, constructing, equipping and furnishing a new fire station to be located at 66-68 Harris Street, including all costs incidental and related thereto; to determine whether the approval of any borrowing for this purpose shall be contingent upon passage of a Proposition 2½ debt exclusion referendum under Massachusetts General Laws c. 59, § 21C(k); to determine whether any premium received by the Town upon the sale of any bonds or notes approved by the vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws c. 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any other action relative thereto.

Summary

The Town is proposing to construct a new fire station on Harris Street. This new station will enhance fire and EMS services to Acton and bring much needed coverage to North Acton which has grown significantly since the construction of the existing three fire stations. At 2018 Annual Town Meeting, Acton voters approved funding of \$750,000 for the design of this fire station. This Article is to fund the construction and related costs to complete the project as further described below.



Conceptual Rendering of Proposed Fire Station

- **North Acton Population Growth.** The population of North Acton has grown significantly since the construction of the existing three fire stations. The three stations date to 1951-1961, when Acton's population was 3,500-7,000, and are concentrated in the Town Center, South Acton and West Acton. Over the years, as the volume of North Acton service calls has grown, the need for a North Acton station has been the topic of recurring discussions since the 1970s and several studies.
- **Continued Growth in North Acton Service Call Volume.** The North Acton area currently is part of Fire District 1, served by Station 1 in the Town center. District 1 therefore is the largest geographically of the 3 Acton fire districts. From July 2018 through June 2019, when Town-wide service calls totaled 5,319, North Acton accounted for 1,251 of those calls, or nearly one-quarter of the total. 60 – 65% of all service calls are medical and related emergencies.
- **Response-Times to North Acton.** Due to the distance of Station 1 (and the Station 2 ladder truck) from North Acton, response times for North Acton service calls exceed recommended standards. Response times should be no longer than 6 minutes and preferably lower, but currently for some North Acton calls can exceed 11 minutes. The proposed North Acton station would address both problems.

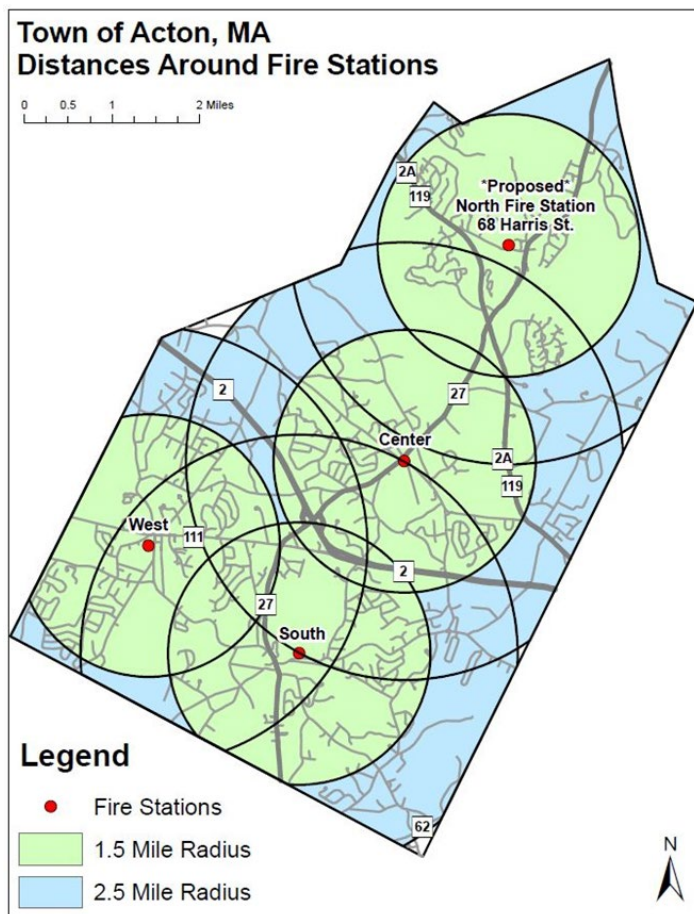
Estimated Project Cost & Proposed Financing

The estimated total project cost for the North Acton Fire Station is \$10.343M, which includes \$750,000 in design fees that were previously authorized at the 2018 Annual Town meeting. To pay for this project the Town is proposing a \$9.2M funding request. This represents \$9.6M for construction, indirect costs, and contingencies less \$399K of the Avalon Phase I gift fund. The Selectmen voted on November 4, 2019 to allow the existing Avalon Phase I gift funds to be used to reduce the total project cost of the North Acton Fire Station. Annual debt service is estimated at \$470,000 for 30 years. The annual cost to the average single family household is estimated at \$62-\$67.

Funding Summary

\$ 398,828	Existing funding in the Avalon Phase I Gift Fund
\$ 750,000	Existing funding for design, authorized at the 2018 Annual Town Meeting
\$ 9,194,548	Proposed debt authorization at this Special Town Meeting and the December 17 Special Town Election

Total Estimated Project Cost: \$10,343,376



Depiction of proposed four-station coverage with new fire district and fire station in North Acton. The Board of Selectmen supports the continued operation of the three existing stations together with the new North Acton station, to assure full Town-wide coverage.

For more information available online, please see the project web page at www.actonma.gov/firestation.

Direct inquiries to: John S. Mangiaratti, Town Manager: manager@actonma.gov / (978) 929-6611
Selectman assigned: Dean A. Charter: bos@actonma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	Recommended	Recommended

Article 3 Sewer District Expansion – West Acton

(Two-thirds vote)

To see if the Town will raise and appropriate, appropriate from available funds, or borrow a sum of money to be expended by the Town Manager for the purpose of financing the planning, design, and construction of, and expansions and modifications to, sewers and the wastewater treatment plant, or any portion thereof, and related infrastructure for the expansion of the Middle Fort Pond Brook Sewer District into West Acton including, without limitation, the acquisition by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Selectmen may determine, real property interests in land as may be necessary or appropriate, and all other costs and any related expenses thereof as defined in Massachusetts General Laws c. 29C, § 1; and to determine whether any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by the vote in accordance with Massachusetts General Laws c. 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

Summary

The West Acton Sewer Continuation Project is a continuation of the sewer program started in 1945. Since 2002, the Town has owned and operated a public sewer system which currently serves South Acton, Kelley's Corner and the AB High School Campus. As part of the approval from the state to build the system, the Town was required to plan for future areas to continue the sewer project. West Acton was identified as a high-priority, future area to connect to the existing sewer system.

An investment was made in 2002 to not only provide sewer to the existing sewer area, but to provide additional capacity at the existing treatment plant for these future areas. Future areas to connect were identified in a Comprehensive Water Resource Management Plan (CWRMP) which identified areas town-wide where septic systems were potentially either environmentally or economically not viable. The report was required and approved by the Massachusetts Department of Environmental Protection in 2006. The Town has been making progress on meeting the goals of the CWRMP since.

West Acton Sewers has been a goal of the Board of Selectmen (2014-16), a goal of the Acton 2020 Master Plan and a priority of the CWRMP. In 2017 the Board of Selectmen formed the West Acton Sewer Action Advisory Committee (WASAAC) to study feasibility of sewerage West Acton. Evaluating sewer feasibility and determining the next steps is a short-term goal of the Board of Selectmen in 2019.

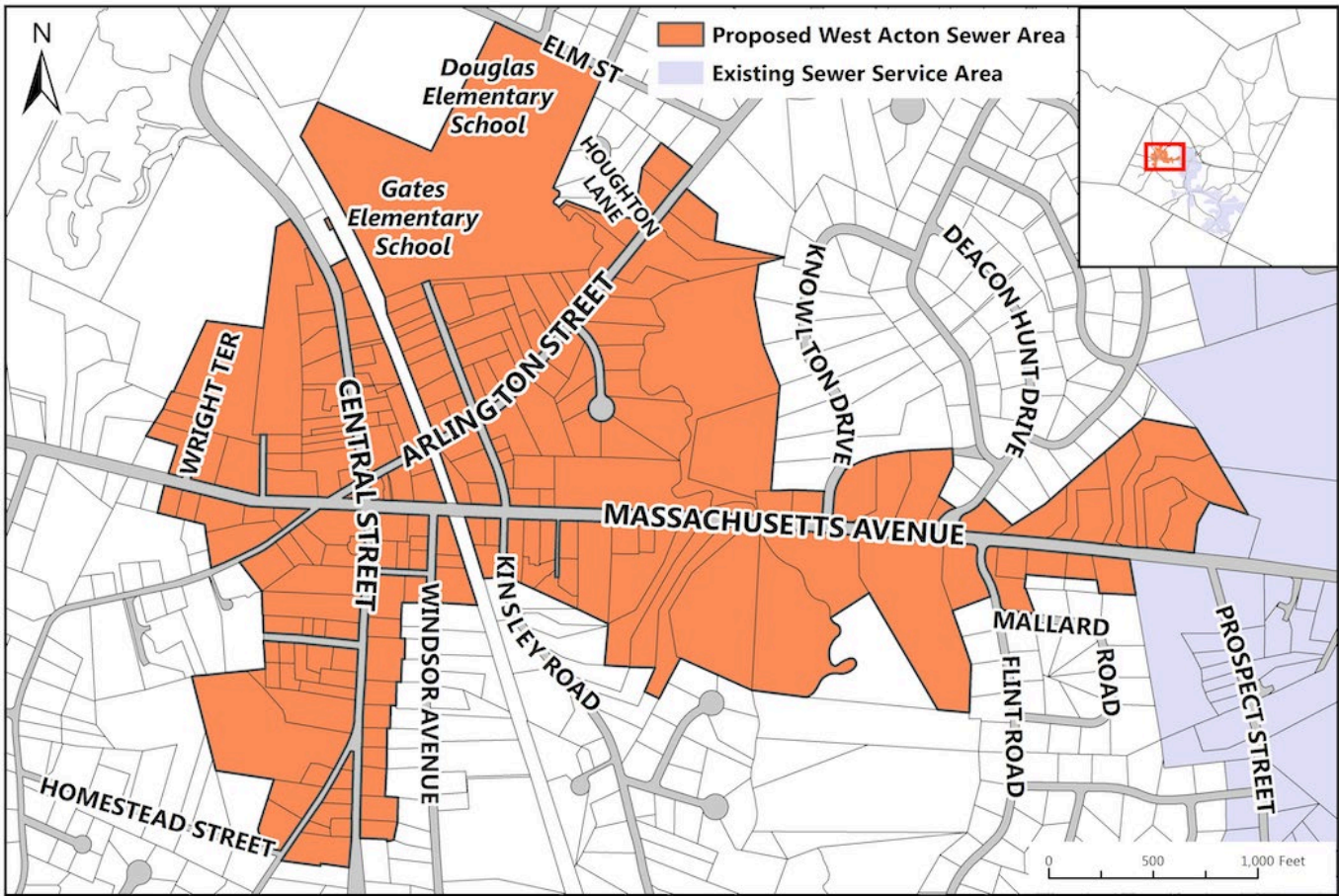
If approved, the West Acton sewer project will provide a sewer option for the Douglas/Gates School project and provide critical infrastructure to a key economic center of Town. The total project cost is estimated at \$15,200,000 and comprised of approximately:

- \$13,200,000 for total construction costs and contingency,
- \$1,000,000 for all design costs, a portion of which includes the full repayment of funds authorized by Town Meeting in April 2019 for a preliminary sewer design,
- \$1,000,000 of project costs paid by West Acton sewers for the existing sewer system to be used for maintenance and upgrades of the existing sewer treatment plant.

If approved, the Town will finance this cost through low-interest borrowing from the Massachusetts Clean Water Trust over a term of 30-years. Low interest borrowing of approximately \$13,200,000 from the Massachusetts Clean Water Trust and \$1,000,000 from the municipal bond market will be undertaken. Approximately 78% of the total project cost will be paid for by the West Acton sewer users over 30-years in the form of betterments. The remainder is paid by government agencies such as the Town, which pays for general project benefits such as paving roads and connecting town buildings to the sewer, and the

School District which pays an equal cost to what they avoid spending on constructing a new septic system.

If approved, the total estimated cost for a single-family home is in the range of \$35,000 to \$39,000, comparable to a septic system replacement, which over 30-years translates to a monthly payment of about \$156/month.



For more information available online, please see the project web page at www.actonma.gov/westactonsewer.

Direct inquiries to: John S. Mangiaratti, Town Manager: manager@actonma.gov / (978) 929-6611
Selectman assigned: David D. Martin: bos@actonma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	Recommended	Recommended

And you are directed to serve this Warrant by posting attested copies thereof fourteen days at least before the time of said meeting, in not less than six public places in Town, to be designated by the Board of Selectmen.


Hereof fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at or before the time of said meeting.

Given under our hands at Acton this twenty-first day of November, 2019.

Joan Gardner, Chair
Jon Benson, Vice-Chair
Dean A. Charter, Clerk
Peter J. Berry
David D. Martin

Board of Selectmen

A true copy, Attest:


Constable of Acton

Town Meeting Parliamentary Procedure

Town Meeting is an old and honored tradition in New England. After more than 200 years we can say it still works – it does its job – and hopefully it’s more than a little enjoyable for you, the voters. It’s also the only form of government where the leaders must face the citizenry directly to answer all reasonable queries – and perhaps even some not so reasonable! However, to work well it must have rules of order – and it does. Town Meetings operate under what is generally called “parliamentary procedure” – in our case, as spelled out in Town Meeting Time. Unfortunately, this wonderful little book is widely read only by Moderators, Town Clerks, Town Counsels and a few others with unusual tastes. In addition to such formal procedures Town Meetings also are subject to relatively arbitrary rules of order set forth by the Moderator and precedent. The following information puts forth the most widely used of these “rules of the road” as an effort to help you enjoy and participate in our Town Meetings.

Electronic Voting

In October 2016, Town Meeting approved changes to our bylaws to permit the use of vote counts by electronic means. We will continue to provide electronic voting through the use of the “i-clicker” system. Each voter will be provided a paper card upon checking in with the Town Clerk’s staff, and will exchange this card for a handheld voting device when entering or exiting the auditorium. Voters will also be provided with instructions and answers to frequently asked questions about electronic voting (e-voting). We will do a few “dry-run” votes on fictitious motions as a way to make everyone comfortable with the electronic voting process. I expect that we will use the electronic voting system on all votes where a two-thirds majority is required as well as in instances where I cannot discern the result of a voice vote. Voting results will be declared by the Moderator as required by law and also displayed on the screen in the auditorium. It is my hope that the use of electronic voting will speed up Town Meeting, protect the privacy of the voter, and ensure accurate vote counts in a matter of seconds. For more information on Town Meeting, please see the Town website at <http://www.actonma.gov/townmeeting>.

Moderator’s Rules

These are quite arbitrary, but hopefully are consistently applied:

1. Any registered voter may speak to any article, but all must speak politely and respectfully to other voters and members of town boards. Civility is required at all times.
2. Since many voters may wish to speak, brevity of comment is appreciated. In addition, speakers are encouraged to add new points to the debate as opposed to repeating what others have already stated.
3. Voters may speak to an issue more than once, but generally “first time” speakers will be recognized before “repeaters”.
4. Remember to listen closely to the motion as stated. The motion puts the warrant article “in play” and it is the motion that is voted on, not the article as written in the warrant. However, there should be a strong similarity between motion and article.
5. Most motions must be “seconded”. Seconding motions is an easy way for newcomers to participate in the meeting. One does not even need to stand or be directly recognized. Generally calling out “second” at the right time will suffice.

6. Voting is most often done by voice. As the Moderator's hearing fails, "standing" counts may be taken. The last resort, due to time constraints, is to take a counted vote by teller.
7. Although not encouraged, the Moderator's judgment can be questioned as to the accuracy of the vote as announced. If seven (7) people request a "recount" of a voice or standing votes, it shall be done.
8. The Moderator will generally accept the motion to "move the previous question", or more easily understood, "to cut off debate." Many people think this motion is somewhat unfair, but it has been my experience that, more often than not, it is passed unanimously or by overwhelming numbers. In the past, the Moderator has been accused of knowing who plans to make such a motion – generally such accusations are accurate!
9. After a motion has been made and seconded, the mover of the motion speaks first, followed by the appropriate Town Boards (generally the Selectmen and the Finance Committee) who state their opinions. The motion is then available for general discussion – pro, con, or questions.
10. Other than when seconding a motion or requesting a point of order, speakers must be recognized by the Moderator before they launch into their point or question. For the most part this "rule of the road" is rigorously enforced.

More Formal Parliamentary Procedure

There are many types of motions that may come before a meeting. The table below is far from all-inclusive, but indicates the most commonly used motions.

Motion	Second Required	Debatable	Amendable	Vote Required	May Reconsider	May Interrupt
Dissolve	Yes	No	No	Majority	No	No
Fix the Time to Adjourn	Yes	Yes	Yes	Majority	Yes	No
Lay on the Table	Yes	No	No	Two-thirds	Yes	No
Previous Question	Yes	No	No	Two-thirds	No	No
Limit Debate	Yes	No	No	Two-thirds	Yes	No
Postpone to a Time Certain	Yes	Yes	Yes	Majority	Yes	No
Amend	Yes	Yes	Yes ¹	Majority	Yes	No
Postpone Indefinitely	Yes	Yes	No	Majority	Yes	No
Point of Order	No	No	No	None	No	Yes
Main Motion	Yes	Yes	Yes	Varies	Yes	No
Reconsider²	Yes	Yes	No	Two-thirds	No	No

1 In Acton, we generally do not accept amendments to amendments – too confusing.

2 Controlled by Town bylaw – 2/3 Vote same night; 3/4 Vote, plus posting ensuing nights.

Some of the motions listed above may not be totally understandable in table form only. The following elaboration may help.

The motion to **dissolve** ends the Town meeting and is appropriate only when all business is completed.

Fix the time to adjourn is a motion often made by the Selectmen and indicates when a given Town Meeting session will end and when the next session will begin.

Lay on the table is a motion used to end debate temporarily or permanently on a given motion. A motion laid on the table may remain there forever, or may be retrieved by the appropriate “take from the table” vote.

The previous question cuts off debate immediately and causes a vote on the article or amendment under discussion.

Limit debate is a motion generally used to put a specific time limit on a motion or time limits on individual speakers.

Postpone to a time certain is a motion generally used to rearrange the order of the articles (or a single article) in the warrant.

Amend – Many types of motions can be amended or altered to bring them to an even higher state of perfection. Of course, since amendments are a little like “beauty being in the eye of the beholder,” they sometimes fail to pass. In any event, after the amendment is disposed of by a vote, the primary motion, either so amended or not, comes back to the assemblage for further discussion and vote.

Postpone Indefinitely serves the same basic purpose as laying a motion on the table except that it is debatable and requires only a majority vote. If the postpone motion carries, the motion to which it applies is dead – in parliamentary terms, at least.

Point of Order – Anyone at any time may rise to a point of order and interrupt the speaker, simply stating, “Point of order, Mr. Moderator.” The Moderator will immediately stop discussion, listen to the point of order and rule on its validity. Points of order may relate to many issues, for example, the right of a speaker to the floor, proper procedures, indecorous conduct or rarely, but within the realm of possibility, some error that the Moderator is committing.

Main Motions are made when no other business is pending and are the devices used to bring the warrant articles to the Town Meeting floor for discussion.

Reconsideration may be used to bring an article (or motion) which has already been disposed of back for a second time. If reconsideration is passed, it nullifies the previous vote and the article is re-discussed and re-voted. Many people feel that reconsideration is unfair, but it is a valid procedure and is occasionally used. In Acton, a Town Bylaw controls the vote quantum rather than Town Meeting Time. Anyone who wishes to reconsider a motion, particularly on a different night from the original vote, would be well advised to consult the Town Clerk on proper procedures.

Parliamentary procedure is not really complex, but the rules, like the rules of golf, do not always make sense. However, they should be consistently applied. If they are, then the Town Meeting can conduct its business in both an orderly and a fair fashion.

I hope this small treatise is helpful to you and adds to your understanding and enjoyment of a most precious right – TOWN MEETING.

Jo-Ann M. Berry
Town Moderator

Glossary of Terms

Commonly Used in Municipal Finance

Abatement: A complete or partial cancellation of a tax bill imposed by a governmental unit; applicable to tax levies and special assessments.

Appropriation: An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and the time when it can be expended. Any amount that is appropriated may be encumbered.

A warrant article appropriation is carried forward from year to year until spent for the designated purpose or transferred by town meeting vote to another account.

Assessed Valuation: The value placed upon a particular property by the local Board of Assessors for the purpose of apportioning the town's tax levy among individual property owners equitably and in accordance with the legal requirement that property be assessed at "full and fair cash value", certified periodically by the Commonwealth's Commissioner of Revenue (no less frequently than once every three years).

Available Funds: Balances in the various fund types that represent non-recurring revenue sources. As a matter of sound practice, they are frequently appropriated to meet unforeseen expenses, for capital expenditures or other onetime costs. Examples of available funds include free cash, stabilization funds and overlay surplus.

Audit: Work done by accountants in examining financial reports, reviewing compliance with applicable laws and regulations, reviewing effectiveness in achieving program results. A basic audit examines only the financial reports and legal compliance. An outside Certified Public Accountant (CPA) audit is directed primarily toward the expression of an opinion as to the fairness of the financial statements and submission of a management letter. An auditor must be independent of the executive branch of government. A state auditor, private CPA or public accountant, or elected auditor meets this test.

Balance Sheet: A statement that discloses the assets, liabilities, reserves and equities of a fund or government unit at a specified date.

Bond: A means to raise money through the issuance of debt. A bond issuer/borrower promises in writing to repay a specified sum of money, alternately referred to as face value, par value or bond principal, to the buyer of the bond on a specified future date (maturity date), together with periodic interest at a specified rate.

Bond Authorization: The action of town meeting authorizing the executive branch to raise money through the sale of bonds in a specific amount and for a specific purpose. Once authorized, issuance is by the treasurer upon the signature of the selectmen.

Bond Issue: Generally, the sale of a certain number of bonds at one time by a governmental unit.

Bond Rating (Municipal): A credit rating assigned to a municipality to help investors assess the future ability, legal obligation, and willingness of the municipality (bond issuer) to make timely debt service payments. Stated otherwise, a rating helps prospective investors determine the level of risk associated with a given fixed-income investment. Rating agencies, such as Moody's and Standard and Poors, use rating systems, which designate a letter or a combination of letters and numerals where AAA is the highest rating and C1 is a very low rating.

Budget: A plan of financial operation embodying an estimate of proposed expenditures for a given period and the proposed means of financing them. A budget may be preliminary (the financial plan presented to the town meeting) or final (the plan approved by that body).

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated receipts for the next fiscal year for the various state aid accounts and estimated state and county government charges payable by the Town in setting the tax rate. The actual receipts and charges may vary from the estimates.

Debt Exclusion: A vote to exclude from the levy limit the costs of debt service for capital projects. This exclusion remains in effect for the life of the debt only.

Debt Service: The repayment cost, usually stated in annual terms and based on an amortization schedule, of the principal and interest on any particular bond issue.

Enterprise Fund: A standalone fund with its own assets, liabilities, fund balance, revenues and expenses in which a municipal service is operated as a business unit. Costs of the service are primarily recovered from user charges, and may be supplemented by general revenues.

Equalized Valuation: The value of all property as determined by the Commissioner of Revenue biennially, to place all property in the state upon an equal footing, regardless of date of assessment.

Excess and Deficiency (E&D): Also called the "surplus revenue" account, this is the amount by which cash, accounts receivable, and other assets exceed a regional school district's liabilities and reserves as certified by the Director of Accounts. The calculation is based on a year-end balance sheet which is submitted to the Department of Revenue by the district's auditor, accountant, or comptroller as of June 30. The regional school committee must apply certified amounts exceeding five percent of the district's prior year operating and capital costs to reduce the assessment on member cities and towns.

Excess Levy Capacity: The difference between the levy limit and the amount of real and personal property taxes actually levied in a given year.

Expenditure: The spending of money by the town and schools for the programs or projects within the approved budget.

FTE: A full-time equivalent employee based on a 40-hour work week. May be one or more employees, but the total weekly hours equal 40.

Fiscal Year ("FY"): A 12-month period, beginning July 1 and ending June 30, to which the annual budget applies and at the end of which a governmental unit determines its financial position and the results of its operations. The designation of the fiscal year is that of the calendar year in which it ends; for example, FY17 or FY 2017 is the fiscal year which begins July 1, 2016 and ends June 30, 2017.

Free Cash: Certified as of each July 1 by the State, this is the portion of Undesignated Fund Balance available for appropriation. It is not cash *per se*, rather it is approximately the total of cash and receivables less current liabilities and earmarked reserves, reduced also by reserves for uncollected taxes.

General Fund: The fund into which the general (non-earmarked) revenues of the town are deposited and from which money is appropriated to pay expenses.

General Obligation Bonds: Bonds issued by the Town that are backed by the full faith and credit of its taxing authority.

Levy Ceiling: A levy ceiling is one of two types of levy (tax) restrictions imposed by MGL Ch. 59 §21C (Proposition 2½). It states that, in any year, the real and personal property taxes imposed may not exceed 2½ percent of the total full and fair cash value of all taxable property. Property taxes levied may exceed this limit only if the community passes a capital exclusion, a debt exclusion, or a special exclusion. (See Levy Limit)

Levy Limit: A levy limit is one of two types of levy (tax) restrictions imposed by MGL Ch. 59 §21C (Proposition 2½). It states that the real and personal property taxes imposed by a city or town may only grow each year by 2½ percent of the prior year's levy limit, plus new growth and any overrides or exclusions. The levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion, debt exclusion, or special exclusion. (See Levy Ceiling)

Local Aid: Revenue allocated by the Commonwealth to cities, towns, and regional school districts. Estimates of local aid are transmitted to cities, towns, and districts annually by the "Cherry Sheets." Most Cherry Sheet aid programs are considered general fund revenues and may be spent for any purpose, subject to appropriation.

M.G.L.: Massachusetts General Laws.

New Growth: The additional tax revenue generated by new construction, renovations and other increases in the property tax base during a calendar year. It does not include value increases caused by normal market forces or by revaluations. New growth is calculated by multiplying the assessed value associated with new construction, renovations and other increases by the prior year tax rate. The additional tax revenue is then incorporated into the calculation of the next year's levy limit.

Other Post-Employment Benefits (OPEB): The set of benefits, other than pensions, that government employees earn while actively working, but do not receive until they retire. Typically included is health insurance coverage for retirees, their spouses and in some cases their beneficiaries.

Operating Budget: A plan of proposed expenditures for personnel, supplies, and other expenses for the coming fiscal year.

Override: A vote to increase the amount of property tax revenue that may be raised over the levy limit.

Property Tax Bill: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed per thousand dollars of assessed valuation, for example:

House Value:	\$ 300,000	
Tax rate:	\$ 10	which means \$10 per thousand
Levy:	\$ 10	multiplied by \$300,000 and divided by \$1,000
Result:	\$ 3,000	

Raise: A phrase used to identify a funding source for an expenditure which refers to money generated by the tax levy or other local receipt.

Revolving Fund: Those funds that may be used for special uses. For example, Recreation fees may be paid into a revolving fund, and expenditures can be made without appropriation with the approval of the Town Manager. Revolving funds are established by state law or town bylaw. Some revolving funds must be annually reauthorized by Town Meeting.

Stabilization Fund: A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose (MGL Ch. 40 §5B). Stabilization funds may be established for different purposes, and interest generated by such funds is added to and becomes part of the stabilization fund. A two-thirds vote of town meeting is required to establish, amend the purpose of, or appropriate money into or out of the stabilization fund.

Tax Levy: Total amount of dollars assessed in property taxes imposed by the Town each fiscal year.

Tax Rate: The amount of property tax stated in terms of a unit of the municipal tax base; for example, \$14.80 per \$1,000 of assessed valuation of taxable real and personal property.

Tax Rate Recapitulation Sheet (Recap Sheet): A document submitted by a city or town to the Department of Revenue in order to set a property tax rate. The recap sheet shows all estimated revenues and actual appropriations that affect the property tax rate.

Trust Fund: In general, a fund for money donated or transferred to a municipality with specific instructions on its use. As custodian of trust funds, the treasurer invests and expends such funds as stipulated by trust agreements, as directed by the commissioners of trust funds or by town meeting. Both principal and interest may be used if the trust is established as an expendable trust. For nonexpendable trust funds, only interest (not principal) may be expended as directed.

Turn Back: Unexpended funds of a prior fiscal year operating budget are returned to the Town, which ultimately revert to Free Cash.

Unreserved Fund Balance or Surplus Revenue Account: The amount by which cash, accounts receivable and other assets exceed liabilities and restricted reserves. It is akin to the stockholders equity account on a corporate balance sheet. It is not, however, available for appropriation in full because a portion of the assets listed as “accounts receivable” may be taxes receivable and uncollected. (See Free Cash)

Warrant: An authorization for an action. For example, a town meeting warrant establishes the matters that may be acted on by that town meeting. A treasury warrant authorizes the treasurer to pay specific bills. The assessors’ warrant authorizes the tax collector to collect taxes in the amount and from the persons listed, respectively.



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